

*(B) for at least 50 years has paid taxes on the land together with all interest and penalties associated with any period of delinquency of the taxes; provided, however, that in the event that public records concerning the tax payments on the land are unavailable for any period within the past 50 years, the tax assessors-collectors of the taxing jurisdictions in which the land is located shall provide the School Land Board with a sworn certificate stating that, to the best of their knowledge, all taxes have been paid for the past 50 years and there are no outstanding taxes nor interest or penalties currently due against the property.*

*(b) The applicant for the patent must submit to the School Land Board certified copies of his chain of title and a survey of the land for which a patent is sought, if requested to do so by the board. The board shall determine the qualifications of the applicant to receive a patent under this section. On a finding by the board that the applicant meets the requirements of Subsection (a) of this section, the commissioner of the General Land Office shall award the applicant a patent. If the applicant is denied a patent, he may file suit against the board in a district court of the county in which the land is situated within 60 days from the date of the denial of the patent under this section. The trial shall be de novo and not subject to the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes), and the burden of proof is on the applicant.*

*(c) This section does not apply to beach land, submerged or filled land, or islands and may not be used by an applicant to resolve a boundary dispute. This section does not apply to land that, pursuant to an action filed previous to the date of an application for patent thereon, was found by a court of competent jurisdiction to be state owned or to land on which the state has given a mineral lease that is in effect on the date of an application for patent thereon. A patent under this section for land within five miles of mineral production shall reserve minerals to the state in the same manner provided by law for reservations of minerals in sales to good faith claimants of unsurveyed school land within five miles of production.*

*(d) Application for a patent under this section must be filed with the School Land Board before January 1, 1993.*

*(e) This section is self-executing.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 5, 1991. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the commissioner of the General Land Office to issue patents for certain public free school fund land held in good faith under color of title for at least 50 years."

Adopted by the Senate on March 21, 1991, by the following vote: Yeas 27, Nays 0.

Adopted by the House on May 22, 1991, by the following vote: Yeas 132, Nays 1, one present not voting.

Filed with the Secretary of State, May 24, 1991.

## S.J.R. No. 15

### SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize the exemption from ad valorem taxation of property owned by a nonprofit water supply or wastewater service corporation.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. Article VIII of the Texas Constitution is amended by adding Section 1-k to read as follows:

*Sec. 1-k. The legislature by general law may exempt from ad valorem taxation property owned by a nonprofit corporation organized to supply water or provide wastewater service that provides in the bylaws of the corporation that on dissolution*

*of the corporation, the assets of the corporation remaining after discharge of the corporation's indebtedness shall be transferred to an entity that provides a water supply or wastewater service, or both, that is exempt from ad valorem taxation, if the property is reasonably necessary for and used in the acquisition, treatment, storage, transportation, sale, or distribution of water or the provision of wastewater service.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 1991. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the legislature to exempt from ad valorem taxes certain property of a nonprofit corporation that supplies water or provides wastewater service."

Adopted by the Senate on April 29, 1991, by the following vote: Yeas 30, Nays 0.

Adopted by the House on May 17, 1991, by the following vote: Yeas 135, Nays 0, one present not voting.

Filed with the Secretary of State, May 21, 1991.

### S.J.R. No. 21

#### SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to submit debt questions to the voters of this state in proposition form.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. Article III, Section 49, of the Texas Constitution is amended to read as follows:

Sec. 49. (a) No debt shall be created by or on behalf of the State, except:

(1) to supply casual deficiencies of revenue, *not to exceed in the aggregate at any one time two hundred thousand dollars;*

(2) to repel invasion, suppress insurrection, or defend the State in war[~~—or pay existing debt~~]; [~~and the debt created to supply deficiencies in the revenue, shall never exceed in the aggregate at any one time two hundred thousand dollars.~~]

(3) as otherwise authorized by this constitution; or

(4) as authorized by Subsections (b) through (f) of this section.

(b) The legislature, by joint resolution approved by at least two-thirds of the members of each house, may from time to time call an election and submit to the eligible voters of this State one or more propositions that, if approved by a majority of those voting on the question, authorize the legislature to create State debt for the purposes and subject to the limitations stated in the applicable proposition. Each election and proposition must conform to the requirements of Subsections (c) and (d) of this section.

(c) The legislature may call an election during any regular session of the legislature or during any special session of the legislature in which the subject of the election is designated in the governor's proclamation for that special session. The election may be held on any date, and notice of the election shall be given for the period and in the manner required for amending this constitution. The election shall be held in each county in the manner provided by law for other statewide elections.

(d) A proposition must clearly describe the amount and purpose for which debt is to be created and must describe the source of payment for the debt. Except as provided by law under Subsection (f) of this section, the amount of debt stated in the proposition may not be exceeded and may not be renewed after the debt has been created unless the right to exceed or renew is stated in the proposition.

(e) The legislature may enact all laws necessary or appropriate to implement the authority granted by a proposition that is approved as provided by Subsection (b) of